

A

REVIEW

OF THE

Affairs of *FRANCE*:

With Observations on TRANSACTIONS at Home.

Saturday, September 15. 1705.

THE Memorial of the Church of *England*, has since my Treating on that Subject, received its most just Doom by Sentence of the Court of *Oyer and Terminer* at the *Old Baily*; the Grand Jury, as I am Informed, Presented it as a Scandalous and Seditious Libel, the Particulars are not within my present Reach.

Before I enter upon any Observations on the Nature of the Thing, I cannot but Divert the Reader with the Worthy Remarks of a certain News Letter of late, so often quoted by me, I mean Mr. *Dyer's* Letter, which having been very brief in relating this Piece of Justice, tells us, "That the Court at the *Old-Baily* has Censur'd the *Memorial*; But 'tis no wonder, says Mr. *Dyer*, if we Consider the Fury, and what Sheriffs we have.

It is not the Business of this Paper to Vindicate the Sheriffs of *London*, or to state their Character; nor do I see any Need they have of it; but I cannot but say something

to the Suggestion, of *Packing* our Juries.

Nothing is more certain, than that in the late Reigns, Evidence was first Suborn'd and Procur'd to Invent Crimes, and form a Charge, and Juries Pack'd to bring the Persons in Guilty, right or wrong; by which means, Innocent Men were hurried to Execution, in sundry Places; Innumerable Oppressions, Murthers, and Invasions of Property followed, and the Parliament of *England* has been put to the Trouble of Reversing the Sentences, and Attainders of such Men, who suffered by the Exorbitant and Cruel Proceedings of those Times, thereby Tacitly Declaring the said Executions to be Murder in their Nature, and Illegal in their Method.

The Practice of these Things was *Damn'd by the Revolution*, and the Declaration of Right, which the People of *England* made, when the Crown was Setled upon King *William*, Effectually Branded them as Illegal

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and Arbitrary ; and since those Times, I may Challenge the worst Enemy of the Constitution, to shew us when, or in what Particular, this Practice was ever revived, *the City of Coventry lately excepted.*

Gentlemen, if Juries have been Pack'd, why has any Body been Acquitted, or any found Guilty, contrary to the Minds of the Sheriffs? Why, in the Case of the Assassination-Plot, was not Evidence procur'd where it was wanting, and Men found Guilty upon Trifling Circumstances?

Why, if the Sheriffs of London had Pack'd a Jury in the Case of the Tryal of the *Ob-firuztor*, was he not Acquitted, and the People Gratified in the Case, whether justly, or no? Why should not *Whiggish* Sheriffs have return'd a *Whiggish* Jury, to do the Work, and Protect a Man whose Cause they really approved?

If any Tryals have gone contrary to Expectation, and contrary to *Whiggish* Designs, while there have been at the same time *Whiggish* Sheriffs, it must be a certain Sign, that the Juries were not Pack'd, but that the Pannels running in course, according to Justice and the Law, all things were left to their proper Channel, as in like Cases they ought, and as in Moderate Just Governments they always do ; and let them shew a better Rule to Judge by.

They might as well tell me, The Jury was Pack'd in *Kent*, because they did not bring in Guilty the Foot Major, who hired the Soldier at *Sheerness*, for the *Murderer* as is prov'd of the *Scotchman* at *Queenborough* ; the Judge himself, as well as all the Auditory, who Judg'd according to Law and Reason, expecting it.

'Tis observable, when Juries were Pack'd, Causes always Correspond with the Course of the Times ; whoever was to be Condemn'd, *was sure to be Condemn'd* ; the Drudgery was always done, and the Instances are so few of the contrary, that they are not worth Naming.

Why are not all Causes carried now, and more pursued? If Juries were Pack'd, these Things would certainly follow.

But to come to the Case in Hand ; The present Affair requires no Pack ; to have had the *Memorial* offered to the Jury, and they to have refused it, would indeed have required a Pack'd Jury ; but to Empanel a Jury

of Course, no Jury Impartially Summon'd in due Course, would have refused it ; I am verily perswaded, that it would be very hard to find a Set of Men taken in Course as they live, any where in *England*, that would not have presented this Book as a Libel. The Church of *England* Gentlemen, all over the Nation, at least such whose Eyes are opened to the real Danger of the Church, from the *Jacobite* and *Popish* Principles, are justly alarm'd at it ; It cannot but Startle a True Son of the *English* Church, to hear Men Talk of *Nature Rebelling against Principle*, to hear them Talk of the Church resolving *not to bear this Usage from the Queen*, or her Ministry ; he that does not duly Relent such Treatment as this, cannot be either a Loyal Subject, or a True Churchman.

I am told, That it has been Objected in Print (tho' I have not seen it) that this Paper implies in one place, a farther or larger Answer might or ought to be given to this *Memorial* ; and at another time, That it Merits not so much Regard ; from whence these Wild Philosophers imply, this Paper Contradicts itself ; I think it would not be otherwise worth this Notice, by way of Reply, but that it comes of Course to say,

The *Memorial*, as a Rapsody of Lyes, Contradictions, and Insulting Reproaches on the Government, Deserv'd no Answer from the Government, other than what it has receiv'd from the Hand of the Hangman ; and that suitable Contempt had been the more its due, by how much the more it had found Advocates among those whose Duty and Places, as well as Loyalty and Religion, ought to lead them to an Abhorrence of it.

On the other Hand, the Arguments in that Book, as they respect the Party Esponsing them, Deserve to be Dissected, that Ignorant Well-meaning Men may not be Weeded and Deluded by the Artifice of Words, to believe such Absurdities and Abuses as are there put together.

It ought, without doubt, to provoke the Indignation of every True Church of *England* Man, as well as every *Protestant*, and of every Loyal Subject to the Queen, to hear a Man, who dares not shew his Face to his Writings, Brand the Queen with Deserting the Church, the Bishops with Betraying the Church, the Ministry with abusing the Nation ;

mon; to hear them Threaten the Government with Rebellion, and the Ministers of State with their Peril; Can any True Church of *England* Protestant read these Things without such an Emotion of Soul, as bespeaks a due Abhorrence of the Practice.

It is impossible, a Man that wishes well to his Native Country, can look back on these Things, without such a Detestation of the Principle, as no Man can well express; and this appears very Honourably in the Sentence pass'd on this Book, by the Publick Justice of the City; an Example well set to all the Nation, and which, if it be not Imitated, will at least Inform Her Majesty, and all her Ministers of State, that the City of *London* has a Degree of Loyalty for her Person, and Concern for her Government, Superior to all the rest of the Nation.

And here I cannot but Exclaim a little at the Horrible Inconsistency of some Mens Practice, which I have too much observ'd in some Parts of *England*, viz. That this Book, with all its Rebellious Principles, all its Affronting Language to the Queen, all its Abusive *Billingsgate* Raillery on the Ministers, and its Buffoonry on the Bishops of the Church, should be Applauded and Defended by many of our Inferiour Clergy; that Men who have Sworn to the Government, that Daily in the Liturgy, by Vertue of their Office, pray for the Queen, and for Prosperity to her Affairs, Long Life to her Person, and a Happy Reign over us; that recommend the Lords of the Council, the Bishops and Clergy, to the Divine Protection and Blessing, that these very Men should joyn in a *Memorial* that Curses them all, and Threatens Rebellion, even against their own Principles.

Monstrous Hypocrisie! To Pray for them within the Church, whose Destruction they Threaten out of it; to Bless them in the Pulpit, whom they Curse in the Press; to Swear to the Government to-day, and Swear at the Government to Morrow——Are these the Gentlemen that cry out against Hypocrisie, and make fine Speeches against Occasional Conformity of *Dissenters*, as a Double fac'd Dealing, a Juggling in Religion, and playing *Legerdemain* with their Maker? these rather are the Spiritual Jugglers, and a Lear-

ned Gentleman might have spar'd that Epithet, unless it had less agreed with the Persons we speak of.

And shall not the Church of *England* distinguish her self from such People? Shall not every True *English* Man, that has any Regard to the Church, Purge himself from even the Suspicion of such a Charge? No Wonder the City of *London*, in whose Streets this Abomination was Committed, within whose Walls this Villainous Libel was first seen, has shewn the whole Nation an Example, by Condemning the Subject, Detesting the Doctrine, and Destroying the Thing it self, as much as in them lies.

To come off of this Brand laid on the *Memorial*, the Party has no shift left, but to fly in the Face of Justice, and Charge the Sheriffs of *London*, with Packing the Jury; and 'tis no Wonder *Dyer's* Letter only is the Author of this Scandal.

1. First, Because he is an Author, will at any Time Publish what no Man else will venture to do; will tell a Story, no other Author has Face enough not to Blush at, and will carry a Forgery farther than the most hardened Author in the Nation.

This appeared lately in his Charge upon the *East-India* Company, of Melting down 184000 *English* Crown Pieces, and carrying the Silver to the *East-Indies*, contrary to the express Acts of Parliament, and to the General Injury of the Publick Stock; a Story so Barefac'd, so Barbarous, and Savouring of so much particular Malice, that no Man but him would have ventur'd to say such a thing, of which he could not pretend to prove the least Syllable, nor had so much as a Circumstance to suggest it to him, but the meer produce of a Fancy, charg'd with Party-Spleen, and a Design to Mischief, for the sake of it self.

This Temper appears now in Charging the Sheriffs of *London* with Packing a Jury to Condemn the *Memorial*: Impotent Slander! The Sense of which, sinks in the Contradiction it carries in it self, since there could be no need of it; and the Jury could not have had a due Sense of their Duty, could not have been True Churchmen, or True *English* Men, if they had Omitted it.

I cannot think a Jury could ha' been found in the whole City of London; unless most Notoriously Party-pack'd, but what must have done thus, if they had had any Respect for the Queen, for the Government, or for the Church of England.

To tell us of the Church of England, Talking the Language of the *Memorial*, it is as Impossible, as to have the Pope Turn Dissenter, and the Jesuits Renounce *Transubstantiation*; it cannot be, that this can be the Church of England, but in a reserv'd Sense, and so the *Papist* may come in.

The Church of England, Establish'd by Law, is an Ambiguous Convertible Term; the *Papists* say, Theirs is the Church of England by Law, for they are the Ancient Church, and all the Laws set up since, are void in their own Nature, as made by an Usurp'd Authority, and an Heretical Assembly of Invaders of the Church.

The Jacobites, who reject the present Settlement in Church and State, say the same thing, That theirs is the Church of England Establish'd by Law, the Laws made since being Void in their own Nature, as made by an Usurp'd Authority.

It is necessary therefore when People Talk of the Church of England, they should Explain themselves, to avoid the Carils which arise from the Ambiguity of Terms.

The Church of England as now Settled, under the Lawful Authority of the Queen, is the Church, the Protestant Establish'd Church, only so, and only under a Legal Establishment; and this I shall endeavour at hereafter.

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